

EAST PALESTINE VILLAGE COUNCIL APRIL 27, 2015 7 PM – 85 N. MARKET ST.

Mayor Zuch called the meeting to order, present was Atty. Beagle, Mr. Cohen, Mr. Elzer, Mr. Figley, Mr. Tyger and Mrs. Wisser. Also present was Village Manager Pete Monteleone, Finance Director Traci Thompson, Law Director Dave Powers and Clerk Misti Martin. The minutes of the April 13th Finance Committee and Regular meetings were approved on a motion by Mr. Cohen seconded by Mrs. Wisser.

AGENDA: Dan Scott- water problems. Mr. Scott stated that the problems with overflows can't be solved by putting in a tank; he said the problems need to be fixed. He also said he feels the city really needs to consider the pipe lining.

CLERK: Clerk Misti Martin announced the Architectural Design Board of Review would meet Thursday April 30th at 7pm.

MAYOR: Mayor Zuch presented a Certificate of Appreciation to the Rotary for all of their hard work with the community and putting on the Easter Egg Hunt at the Park. Next Manager Monteleone presented a Certificate of Appreciation to CSI Environmental for donating the time and labor and for all of their help with the Spring Clean up. Mayor Zuch reminded all residents not to blow their grass clippings into the street. She also said the Village was hosting the Tree City Awards banquet this year and that we would be receiving an award for our 10th year as a Tree City.

MANAGER: Manager Monteleone thanked Misti & Mayor Zuch for their work in organizing the Tree City Banquet this year, also saying that planting the larger trees makes a more immediate impact and that we would be planting two pear trees (donated by Don & Dianna Elzer) at the Banquet tomorrow. Mr. Elzer asked when the new banners would be in and Monteleone said it should be about a month.

LAW DIRECTOR: Atty. Powers said he has drafted quite a bit of legislation, he said when he is asked to do legislation by members of council he does so as asked. He said Mr. Elzer asked for legislation to be drafted exactly as it was previously (in reference to waiving fees at the community center for non profits). He said he had some reservations about that particular piece of legislation and after corresponding with Mr. Cohen about it he also drafted an alternate ordinance pertaining to the same issue. He said after council discusses it he would also draft the legislation with any requested changes.

STREET: Mr. Figley said he has some issues in reference to curbs, intersections, storm sewers and areas that need cleaned up and that he has brought then up to the Manager and he said they would be taken care of. He also said everything is in line with the paving project.

S/P/R/C: Mr. Cohen stated there was a Park Board meeting and they discussed DOG Days plans which is on May 9. He said the Splash Pad is almost complete and he thanked Mr. Elzer for donating some sod that is being used around the area. Mrs. Wisser said baseball season is starting and that was a lot of trash on the hill. She said people from all over come here for baseball and it looks better when things are cleaned up. Mr. Cohen said the Manager has been very proactive in terms of getting the pool ready for the summer. Monteleone stated that Jerry and the guys have been working hard on the pool.

DEVELOPMENT: NO REPORT

UTILITY: Mr. Figley stated he would like to have a special meeting with the engineers and John Jurjavcic to discuss the EPA mandates and Mr. Cohen asked if a rep from the EPA could come. Mr. Figley said he wanted to talk about what they were originally told and what isn't true now such as the size and cost of the tank. He said the EPA doesn't tell us what to do, they tell us the problem and that we need to solve it. He said he feels we do have a lot of violations with rooftops and

downspouts. Mr. Figley said he feels we should spend the estimated cost of the eq tank (five million dollars) on making repairs that will actually solve the problems and he doesn't feel the village has been treated fair in the recommendations from the engineers however he does feel there were some good ideas in the report such as a new 24 or 36 inch line from the siphon to the plant. Mr. Cohen said the bottom line is the permit is up for renewal in June of 2016 and we have to have work started and we need to know what the response of the EPA would be if we decide to go with a plan other than the eq tank. Mr. Figley said we need to take the initiative and get some repairs done the right way because by the engineer's admission a one million gallon tank will not fix the problem. Mr. Cohen stated he would like to ask the EPA point blank if we can go with slip lining instead of the tank. Mr. Elzer suggested doing a report and presentation for the EPA about what we would like to do. Jurjavcic said the EPA is very firm and the 2016 date and have basically asked what we have been doing about it since 2011. Mr. Figley said he understood that but we need to do it right and five million dollars can do a lot of rehab and possibly solve the problem; the eq tank will not solve the problem. Mr. Cohen said he understood when Mr. Figley was coming from but he also wanted everyone to know that if we choose to go our own way we could end up in court. Mr. Elzer said by not going with the engineers we are not disobeying the EPA, we are saying we found another path to fix the problems. Mr. Figley said the EPA won't approve either direction, Monteleone then said that Jurjavcic received an email from them saying they will review the engineer's submittals but the engineers were hired to come up with a solution and they (the EPA) will not say yes or no to the plan. Jurjavcic said they also told us we need to have something done by June 30, 2016. Mr. Figley said MS has basically said they will not submit anything other than their original plan so we could talk to other engineers. Mr. Elzer asked if plan submitted to the EPA had to come from an engineer and Jurjavcic said anything over five thousand dollars submitted to the EPA must come from an engineer with detailed drawings. Monteleone said we are in the process of putting out for qualifications for engineers that specialize in wastewater. Atty. Beagle said that when she left the meeting with the engineers she was under the impression that the plan was the eq basin and the pipe lining, but she said it sounds like Mr. Figley and Mr. Elzer think the lining alone would solve the problem, she also stated she feels the lining should definitely be done. She said we need to get the EPA here and tell them what we want to do because we won't need the eq tank if we can get started on the lining. Jurjavcic stated he EPA doesn't care if we put an eq tank in or do the slip lining as long as the problem is fixed by June 30, 2015. Mr. Cohen asked Jurjavcic what he thought would happen if nothing was done by June 30, 2016 and Jurjavcic said he felt they would put us into enforcement with the Attorney General's office and Atty. Beagle said they could do that either way. Monteleone said he would set a meeting with the engineers so the situation could be discussed further.

FINANCE: NO REPORT

VISITORS: Dianna Elzer, John & Dot Herbert, John Jurjavcic, Dan Scott, Jerry Coblentz, Pam Figley, Jenny Brown, Don Johnson, Chief Josh Brown, John & Bonnie Davis, Terri Ward, Mark Walker, Mary Ann Tyger & Katie White.

NO VISITORS COMMENTS ON CURRENT LEGISLATION

LEGISLATION: Atty. Beagle introduced Ord. 4-2015 for a third reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance acknowledging receipt of the notice of intent to acquire and good faith offer from the Ohio Department of Transportation for purchase of Village property in connection with State Route 170 repair and improvement project (col-170-13.62), and accepting the amount offered as just compensation.** Atty. Beagle called for a vote on Ord. 4-2015. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 YES to pass. Atty. Beagle introduced Ord. 5-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance to approve a settlement of a dispute regarding the providing water and sewer services to permanent parcel numbers 68-00427000, 67-00384000 and 67-00384003 owned by David and Michelle Vargo.** Atty. Beagle introduced Ord. 6-2015 for a second reading and made a motion that it be read by title only seconded by Mr. Cohen.

An ordinance adopting amendments to the Village of East Palestine employee handbook. Atty. Beagle introduced Ord. 7-2015 for a first reading and made a motion that it be read by title only, seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Cimline Pavement Maintenance Group or its authorized distributor for the lease or purchase of a “Durapatcher” spray injection patching trailer.** Atty. Beagle introduced Ord. 8-2015 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Municipal Manager to enter into and execute all financing documents as required by Cimline Pavement Maintenance Group or its authorized distributor to secure financing in the principle amount of \$56,673.00 with 3.98 % interest for the lease or purchase of a Durapatcher spray injection patching trailer.** Atty. Beagle introduced Ord. 9-2015 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance amending section 248.05 of the codified ordinances of the Village of East Palestine, and ordinance 7-2008 as to collection of fees associated with the use of the park Community Center for all nonprofit organizations benefiting the Village of East Palestine.** Atty. Beagle introduced Ord. 10-2015 for a first reading and made a motion that it be read by title only seconded by Mr. Cohen. **An ordinance authorizing the Village Manager to enter into a contract with Donnell Ford and Various other vendors as set forth in the attached exhibit A. for the purchase of two 2015 Ford Trucks to be used by the Fire Department for brush trucks.**

ADJOURN: Mr. Elzer made a motion to adjourn, seconded by Atty. Beagle. All in favor, meeting adjourned.

MISTI J. MARTIN CLERK

MAYOR MARGO ZUCH